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Summary record of the 6th meeting
Held at Headquarters, New York, on Friday, 20 July 2007, at 3 p.m.

Chairperson: Ms. Al-Khalifa ..... (Bahrain)
(President of the General Assembly)

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The meeting was called to order at 3.15 p.m.

Organization of the sixty-first regular session of the General Assembly, adoption of the agenda and allocation of items (*continued*)

Request for the inclusion of an additional item by the Democratic People's Republic of Korea (A/61/236)

1. **The Chairperson** drew attention to a request by the Democratic People's Republic of Korea for the inclusion in the agenda of the current session of an additional item entitled "Contemporary forms of xenophobia" (A/61/236). The representative of the Democratic People's Republic of Korea had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.

2. *At the invitation of the Chairperson, Mr. Pak Tok Hun (Democratic People's Republic of Korea) took a place at the Committee table.*

3. **Mr. Pak** Tok Hun (Democratic People's Republic of Korea) recalled that in 1923, in the aftermath of the Kanto earthquake, the Government of Japan had declared martial law and had spread rumours among the population in order to divert their grievances and incite xenophobia; that had led to a ruthless massacre of Koreans, including the brutal killing of more than 6,600 Koreans in Kanto district alone. Recently, the Japanese authorities had been creating a similar atmosphere of terror. Koreans were receiving threatening telephone and e-mail messages and forced search, intimidation, arrest and detention were daily occurrences. Since the beginning of 2007, the Japanese authorities had spread false reports through the media in a bid to incite bitterness towards the Democratic People's Republic of Korea and tarnish the reputation of the General Association of Korean Residents in Japan (Chongryon). They had searched Chongryon facilities and schools, assaulting and arresting Koreans and confiscating documents. On 6 February 2007, the Japanese police authorities had forcibly searched many Chongryon institutions of the Hyogo Prefecture, including the Hall of Koreans, for more than 12 hours. On 25 April 2007, a Korean printing house in Tokyo had been subjected to a large-scale and intimidating police search, lasting more than four hours. Moreover, the authorities had tried to force Chongryon to sell its headquarters and had rejected its proposals for the redemption of its debts, thereby unilaterally blocking all avenues for debt settlement.

4. Chongryon was a legitimate organization for the protection of the rights of Koreans in Japan. Koreans and their organizations had been repressed by the Japanese authorities for decades, during which discrimination, human rights violations and violence against Koreans had continued on a daily basis. The actions of Japan blatantly violated the Charter of the United Nations and international human rights norms; Japan was seeking permanent membership of the Security Council even while its acts of repression against Koreans in Japan constituted a serious threat to regional and international peace and security. Against that background, his country requested the inclusion of an item entitled "Contemporary forms of xenophobia" in the agenda of the current session, motivated by the desire to redress the current situation of harsh repression of Koreans and prevent another massacre.

5. **The Chairperson** said that the representative of Japan had asked to participate in the discussion of the item. If she heard no objections, she would take it that the Committee wished to accede to that request.

6. *It was so decided.*

7. *At the invitation of the Chairperson, Mr. Shinyo (Japan) took a place at the Committee table.*

8. **Mr. Shinyo** (Japan) said that the allegations just made were groundless and distorted the facts. The issues raised were in reality internal judicial, economic and other affairs of Japan and did not in any way constitute a basis for deliberations in the General Assembly. In a letter dated 17 July 2007, the Permanent Representative of Japan had responded to the letter dated 10 July 2007 from the Permanent Representative of the Democratic People's Republic of Korea to the President of the General Assembly and clarified a number of points first, the reason for the search of subsidiary organizations of Chongryon located in the Korean Press Hall had been to collect evidence in relation to a suspect in an abduction case that had occurred in 1974. The search had been conducted in a legal and proper manner and involved no violence or threats.

9. Second, with regard to the debts of Chongryon, he said that numerous financial institutions in Japan, including a number of Korean-affiliated credit unions, had gone bankrupt between 1997 and 2001. As part of

recovery measures, the Resolution and Collection Corporation (RCC), a corporation established by a public organization to collect non-performing loans of bankrupt financial institutions in Japan, had purchased the non-performing assets of those credit unions using Japanese public funds. Those assets included loans to Chongryon, valued at some 63 billion yen. In November 2005, RCC had sought repayment of those loans through the Tokyo District Court, which in June 2007 had ruled that the loans should be repaid. Chongryon had indicated that it would pay only a small part of the total sum. It was under those circumstances that RCC had had no choice but to file a petition to auction the building and land belonging to Chongryon, following normal legal procedures and in line with its regular practices for the collection of non-performing loans.

10. With regard to the legal status of Korean residents in Japan and allegations of maltreatment, the Constitution of Japan guaranteed equality before the law, without discrimination of any kind; his Government was proactive in its engagement with various United Nations forums working for the elimination of racial discrimination.

11. Accordingly, his delegation requested the Committee not to recommend the inclusion of the additional item in the agenda of the current session. Moreover, the matter was not urgent, and therefore did not meet the requirement of rule 15 of the rules of procedure. The General Assembly had adopted a resolution entitled "Situation of human rights in the Democratic People's Republic of Korea" in 2006 and in 2005, but that Government had not taken any steps to improve the human rights situation and had not permitted the Special Rapporteur to enter the country. Secondly, the Third Committee had considered contemporary forms of xenophobia under agenda item 65, and that work should not be duplicated.

12. **Mr. Majoor** (Netherlands) said that his country did not consider the issue to be an urgent matter under rule 15 of the rules of procedure; moreover, the Third Committee had covered the matter under agenda item 65. Therefore, his delegation was not in a position to support the request for inclusion of the item in the agenda of the current session.

13. **Mr. Mavodza** (Zimbabwe) urged both countries to resolve the matter bilaterally, without recourse to the Committee.

14. **Mr. Fieschi** (France) said that while his country supported open debate in the General Assembly, it also sought to avoid duplication. As the proposed item overlapped with item 65 and as the points raised did not meet the requirements of rule 15 of the rules of procedure, his delegation was not in a position to support the request for inclusion of the item.

15. **Ms. Pass** (United Kingdom) said that the issue did not meet the requirements of rule 15 of the rules of procedure and was already an item on the agenda of the Third Committee. Therefore, her delegation was not in a position to support the request for inclusion of the item.

16. **Mr. Ballestero** (Costa Rica), speaking in his capacity as Vice-Chairman of the Third Committee, said that the General Committee should focus on procedural matters only. His country held the view that the protection and preservation of human rights were a matter for the United Nations and that xenophobia, racism and other forms of intolerance were also a matter of priority. General Assembly resolutions 60/164 and 61/149 demonstrated that the General Assembly afforded considerable attention to those matters. As other delegations had indicated, the requested item was covered by agenda item 65; therefore, his delegation was not in a position to support the request for inclusion of the item.

17. **Mr. Andereya** (Chile) said that his delegation shared the opinion expressed by other delegations that the request of the Democratic People's Republic of Korea did not meet the requirements of rule 15 of the rules of procedure. It also shared the view that xenophobia was covered under the discussion of agenda item 65 in the Third Committee, so that inclusion of the new item would represent duplication. It saw no relationship between the proposed item and threats to international peace and security. His delegation was therefore not in a position to support the request for inclusion of the item.

18. **Ms. Intelman** (Estonia) said that as the item could be discussed under an existing agenda item, her delegation was not in a position to support the request for its inclusion as a separate item.

19. **Ms. Blum** (Colombia) said that although her country attached great importance to combating racism and intolerance, the matter was already covered; her delegation was therefore not in a position to support the request for inclusion of the additional item.

20. **Mr. Liu** Zhenmin (China) said that a proper settlement required bilateral dialogue and consultations between the parties. The request for inclusion of an additional item accorded with the rules of procedure of the General Assembly; the Committee should also consider the issue in accordance with those rules. His delegation believed that the President of the General Assembly would make a fair and appropriate decision, based on the views of the Member States.

21. **Ms. Asmady** (Indonesia) said that her delegation believed that the issue of xenophobia was covered by the Third Committee. Her Government urged the two countries to resolve their problems through dialogue.

22. **Mr. Ritter** (Liechtenstein) said that, as previous speakers had noted, inclusion of the item would create duplication; his delegation was therefore not in a position to support the request.

23. **Mr. Belinga-Eboutou** (Cameroon) said that the urgency of the issue was not established and the matter could be discussed bilaterally. Moreover, the issues raised were covered under item 65; his delegation was therefore not in a position to support the request.

24. *The Committee decided to recommend to the General Assembly that the item not be included in the agenda of the current session.*

The meeting rose at 4.05 p.m.